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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/612,061 03/07/96 COX

J 33019/138/10

EXAMINER

VANOVER, P

33M1/0923

ART UNIT

PAPER NUMBER

GLENN M SEAGER  
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DATE MAILED: 3306

09/23/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-12 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 7-9 is/are allowed.
- ☒ Claim(s) 1-6, 10-12 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

# Office Action Summary

Application No.

08/656,570

Applicant(s)

Berg

Examiner

Deborah Blyveis

Group Art Unit

3306



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

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## Disposition of Claims

☒ Claim(s) 1-22 is/are pending in the application.

Of the above, claim(s) 21 and 22 is/are withdrawn from consideration.

☒ Claim(s) 8-10 and 17-19 is/are allowed.

☒ Claim(s) 1-7, 11-16, and 20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

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--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Serial Number: 08/612,061

-2-

Art Unit: 3306

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.


2. Claim 1-6 and 10-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Crocker '800 or Cox '300. In Crocker '800 see Figures 1 and Figures 5 and 6. Also see Crocker '800 column 4, line 33 through column 6, line 60. In Cox '300 see Figures 2B, 3, and 4A. Also see column 6 lines 5-68.


3. Claims 7-9 are allowable over the prior art of record.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following U.S. Patents disclose elements of the applicant's invention: U.S. 5,257,974; 5,114,423; 5,295,962 and 5,542,926.

5. Any inquiry concerning this communication should be directed to Perry E. Van Over at telephone number (703) 308-2911.

  
Perry E. Van Over  
September 16, 1996

  
**MARK BOCKELMAN**  
**PATENT EXAMINER**  
**GROUP 3300**